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Response under 37 C.F.R. 1.116
Expedited Procedure
Examining Group (2161)

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3-402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edenson et al.

Serial No.: 09/170,864

Filed: 10/13/1998

For: SECURE DISTRIBUTION OF DIGITAL DATA

Art Unit: 2161

Examiner: Elisca, Pierre E.

Docket No. TI-25667

RESPONSE UNDER 37 C.F.R. 1.116

January 28, 2002

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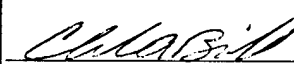
Assistant Commissioner for Patents

Washington, DC 20231

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MAILING CERTIFICATE UNDER 37 C.F.R. 1.116	
I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below.	
	1-28-2002
Charles A. Brill	Date

Dear Sir:

In response to the Examiner's Action mailed November 26, 2001, applicant responds as follows:

REMARKS

This application was originally filed on October 13, 1998 with forty-two claims, five of which were written in independent form. No claims have been allowed.

Claim 25 was rejected under 35 U.S.C. §102(e), or according to the Office Action mailed November 26, 2001 under §102(a), as being anticipated by Houvener. The applicant respectfully disagrees. MPEP § 2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053, (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Examiner, citing column 4, lines 1-12 and column 6, lines 54-67 of Houvener, states, "the point of identification terminal (or identification system module) and [sic] searches the